

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : MIYAWAKI et al.

Group Art Unit: 1654

Application. No.: 10/561,041

Examiner: Christina BRADLEY

(U.S. National Phase of PCT/JP04/08786)

I.A Filed : June 16, 2004

Confirmation No.: 3770

For : FLUORESCENT PROTEIN AND PIGMENT PROTEIN

**ELECTION WITH TRAVERSE**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

This is in response to the requirement for restriction under 35 U.S.C. §§ 121 mailed from the U.S. Patent and Trademark Office on August 18, 2009. Inasmuch as the one-month shortened statutory period for reply is set in the Office Action to expire on September 18, 2009, this response is timely filed and a Request for Extension of Time is not necessary. However, if any additional fees are necessary to maintain the pendency of this application, the Office is authorized to charge such fee to Deposit Account No. 19-0089.

**RESTRICTION REQUIREMENT**

The Examiner requires restriction to one of the following species, alleging that the species lack unity of invention under PCT Rule 13.1:

- SEQ ID No. 1
- SEQ ID No. 3
- SEQ ID No. 5